



06-09-03

2873

Handwritten notes: 11/08, 12, 91703

Filed Via Express Mail

Rec. No.: EV 332277938 US

On: June 5, 2003

By

Eric L. Maldonado

Any fee due as a result of this paper, not covered by an enclosed check, may be charged on Deposit Acct. No.50-1290.

Attorney Docket No. NEKU 19.296(100806-00072)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Mikio ODA, et al.
Serial No.: 10/028,238
Filed: December 21, 2001
Title: OPTICAL PATH CONTROL APPARATUS...
Examiner: Jessica T. Stultz
Art Unit: 2873

June 5, 2003

Director of the U.S. Patent and
Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

S I R:

In order to comply with discretionary rules 37 CFR §§1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies of documents listed thereon. These documents contain information in which the Examiner may consider to be important in deciding whether to issue a patent in the instant application.

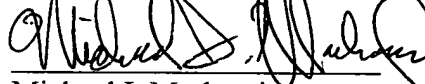
As this statement is being filed prior to issuance of a final Office Action, a fee of \$180.00 accompanies this document in accordance with 37CFR §§1.97(c) and 1.17(p).

The present Information Disclosure Statement is being submitted in compliance with 37 §CFR 1.56 as an Examiner might consider any cited document important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104 (a), and in the course of such search will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is respectfully solicited.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,

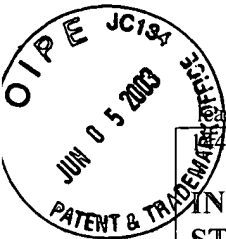


Michael I. Markowitz

Reg. No. 30,659

Katten Muchin Zavis Rosenman
575 MADISON AVENUE
NEW YORK, NEW YORK 10022-2585
(212) 940-8800
DOCKET NO. 100806-00072(NEKU 19.296)





Please type a plus sign (+) → +

Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

E39/PTO

U.S. Department of Commerce
Patent and Trademark Office

Application No. : 10/028,238

Filing Date : December 21, 2001

First Named Inventor: M. ODA

Group Art Unit : 2873

Examiner Name : J.T. STULTZ

Attorney Docket No. : NEKU 19.296

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

Sheet 1 of 1

U.S. PATENT DOCUMENTS

| Examiner Initials | Cite No. ¹ | U.S. Patent Document | Kind Code if known ² | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear |
|-------------------|-----------------------|----------------------|---------------------------------|---|--|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

FOREIGN DOCUMENTS

| Examiner Initials | Cite No. ¹ | Foreign Patent Document Office ³ Number ⁴ Kind Code ⁵ (if known) | Country | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YY/Y | Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear |
|-------------------|-----------------------|---|---------|---|--|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Other Prior Art-Non Patent Literature Documents

| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), data, page(s), volume-issue number(s), publisher, country, where published, source. | Applicant check her if English language translation attached |
|--------------------|----------|--|--|
| | | "OPTICAL MEMS" FUJITA, et al., IEICE TRANS. ELECTRON, VOL. E83-C, NO. 9 SEPTEMBER 2000, pp. 1427-1434 | |
| | | | |
| Examiner Signature | | Date Considered | |

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that Issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.1⁶ if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.